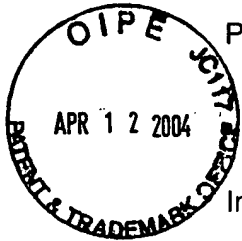


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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Beechem *et al.*

Serial No.: 10/666,291

Filed: September 17, 2003

For: **Antibody Complexes and Methods  
for Immunolabeling**

)  
)  
) Examiner: Not Yet Known  
)  
) Group Art Unit: Not Yet Known  
) **TRANSMITTAL LETTER**  
)  
)

Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith are the following documents in the above-identified application.

- [X] Supplemental Information Disclosure Statement
- [X] Substituted USPTO Form 1449
- [X] Cited References A53-A54 and C13-C24
- [X] Fee Transmittal Form (PTO/SB/17)
- [X] Return Postcard (Postage Prepaid)

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS PAPER AND THE DOCUMENTS REFERRED TO AS BEING ATTACHED OR ENCLOSED HEREWITH ARE BEING DEPOSITED WITH THE UNITED STATES POSTAL OFFICE ON April 6, 2004 AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450 ALEXANDRIA, VA 22313-1450.

By me d. S., Michael A. Sennett

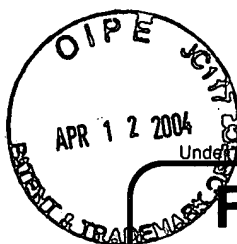
Beechem *et al.*  
10/666,291

Respectfully submitted,

Date: April 6, 2004

Karen J. Anderson  
Karen J. Anderson, Ph.D.  
Reg. No. 51,061

Molecular Probes, Inc.  
29851 Willow Creek  
Eugene, Oregon, 97402  
Phone: (541) 335-0203  
Facsimile: (541) 335-0188



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 180.00

## Complete if Known

|                      |                    |
|----------------------|--------------------|
| Application Number   | 10/666,291         |
| Filing Date          | September 14, 2003 |
| First Named Inventor | Joseph Beechem     |
| Examiner Name        |                    |
| Art Unit             |                    |
| Attorney Docket No.  |                    |

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 13-3900  
Deposit Account Name: Molecular Probes, Inc.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid   |
|--------------|----------|--------------|----------|------------------------|------------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |            |
| 1001         | 770      | 2001         | 385      | Utility filing fee     |            |
| 1002         | 340      | 2002         | 170      | Design filing fee      |            |
| 1003         | 530      | 2003         | 265      | Plant filing fee       |            |
| 1004         | 770      | 2004         | 385      | Reissue filing fee     |            |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |            |
| SUBTOTAL (1) |          |              |          |                        | (\$ ) 0.00 |

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims       |  | Extra Claims |  | Fee from below |  | Fee Paid |
|--------------------|--|--------------|--|----------------|--|----------|
| Independent        |  | -20** =      |  | X              |  |          |
| Multiple Dependent |  | -3** =       |  | X              |  |          |

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid   |
|--------------|----------|--------------|----------|--|------------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |            |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                     |            |
| 1201         | 86       | 2201         | 43       | Independent claims in excess of 3                          |            |
| 1203         | 290      | 2203         | 145      | Multiple dependent claim, if not paid                      |            |
| 1204         | 86       | 2204         | 43       | ** Reissue independent claims over original patent         |            |
| 1205         | 18       | 2205         | 9        | ** Reissue claims in excess of 20 and over original patent |            |
| SUBTOTAL (2) |          |              |          |  | (\$ ) 0.00 |

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051         | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |          |
| 1052         | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053         | 130      | 1053         | 130      | Non-English specification  |          |
| 1812         | 2,520    | 1812         | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804         | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805         | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251         | 110      | 2251         | 55       | Extension for reply within first month                                     |          |
| 1252         | 420      | 2252         | 210      | Extension for reply within second month                                    |          |
| 1253         | 950      | 2253         | 475      | Extension for reply within third month                                     |          |
| 1254         | 1,480    | 2254         | 740      | Extension for reply within fourth month                                    |          |
| 1255         | 2,010    | 2255         | 1,005    | Extension for reply within fifth month                                     |          |
| 1401         | 330      | 2401         | 165      | Notice of Appeal   |          |
| 1402         | 330      | 2402         | 165      | Filing a brief in support of an appeal                                     |          |
| 1403         | 290      | 2403         | 145      | Request for oral hearing   |          |
| 1451         | 1,510    | 1451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452         | 110      | 2452         | 55       | Petition to revive - unavoidable   |          |
| 1453         | 1,330    | 2453         | 665      | Petition to revive - unintentional   |          |
| 1501         | 1,330    | 2501         | 665      | Utility issue fee (or reissue)   |          |
| 1502         | 480      | 2502         | 240      | Design issue fee   |          |
| 1503         | 640      | 2503         | 320      | Plant issue fee  |          |
| 1460         | 130      | 1460         | 130      | Petitions to the Commissioner  |          |
| 1807         | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806         | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  | 180.00   |
| 8021         | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809         | 770      | 2809         | 385      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810         | 770      | 2810         | 385      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801         | 770      | 2801         | 385      | Request for Continued Examination (RCE)                                    |          |
| 1802         | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 180.00

## SUBMITTED BY

(Complete if applicable)

|                   |                          |                                   |         |           |              |
|-------------------|--------------------------|-----------------------------------|---------|-----------|--------------|
| Name (Print/Type) | Koren J. Anderson        | Registration No. (Attorney/Agent) | 51,061  | Telephone | 541-335-0203 |
| Signature         | <i>Koren J. Anderson</i> | Date                              | 4/10/04 |           |              |

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Beechem *et al.* )  
Serial No.: 10/666,291 ) Examiner: Not Yet Known  
Filed: September 17, 2003 ) Group Art Unit: Not Yet Known  
For: **Antibody Complexes and Methods** ) **SUPPLEMENTAL INFORMATION**  
**for Immunolabeling** ) **DISCLOSURE STATEMENT**

Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR 1.97(c) The Supplemental Information Disclosure Statement (IDS) being transmitted herewith is being filed after the mailing date of the first Office Action on the merits but before the mailing date of an action that effectively closes prosecution on the merits. Accordingly, a fee specified in CFR 1.17(p) and the statement specified in paragraph (e) of 37 CFR 1.97 is hereby submitted with this IDS.

In accordance with 37 CFR 1.97(e)(2), Applicants hereby certify that no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application and no item of information contained in the information disclosure statement was known more than three months prior to filing of this IDS.

Applicants, respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. The Examiner is requested to initial and return the enclosed PTO-1449 form in accordance with MPEP §609.

This Information Disclosure Statement pursuant to 37 CFR 1.97 is not to be construed as a representation that: (1) a search has been made; (2) the above information constitutes prior art to the subject invention. Accordingly, it is requested that the Examiner consider the enclosed references.

04/14/2004 BABRAHA1 00000136 133900 10666291  
01 FC:1806 180.00 DA

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS PAPER AND THE DOCUMENTS REFERRED TO AS BEING ATTACHED OR ENCLOSED HERewith ARE BEING DEPOSITED WITH THE UNITED STATES POSTAL OFFICE ON April 6, 2004 AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450 ALEXANDRIA, VA 22313-1450.  
By Michael A. Sennett

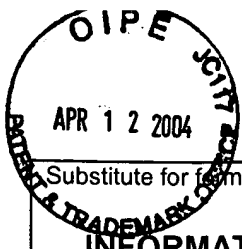
Beechem *et al.*  
10/666,291

Respectfully submitted,

Date: April 6, 2004

Koren J. Anderson  
Koren J. Anderson, Ph.D.  
Reg. No. 51,061

Molecular Probes, Inc.  
29851 Willow Creek Road  
Eugene, Oregon, 97402  
Phone: (541) 335-0203  
Facsimile: (541) 335-0188



Substitute for form 1449/PTO

**INFORMATION DISCLOSURE STATEMENT****BY APPLICANT**

Docket:

Ser: **10/666,291**Applicant: **Beechem, et al.**

Filed:

**September 17, 2003**

Group:

**U.S. PATENT DOCUMENTS**

| Init.* | Cite No. | Number          | Date     | Name         | Class | Sub | Filed |
|--------|----------|-----------------|----------|--------------|-------|-----|-------|
|        | A53      | US 2002/0064794 | 05/30/02 | Leung et al. |       |     |       |
|        | A54      | US 2002/0077487 | 06/20/02 | Leung et al. |       |     |       |
|        |          |                 |          |              |       |     |       |
|        |          |                 |          |              |       |     |       |

**NON PATENT LITERATURE DOCUMENTS**

| Init.* | Cite No. | Name of Author, Title of the Article, Title of the Item, Date, Page, Volume-Issue Number   |
|--------|----------|--|
|        | C13      | ✓ Matayoshi, E. D., G. T. Wang, et al. (1990). "Novel fluorogenic substrates for assaying retroviral proteases by resonance energy transfer." <i>Science</i> <b>247</b> (4945): 954-8.   |
|        | C14      | ✓ dos Remedios, C. G. and P. D. Moens (1995). "Fluorescence resonance energy transfer spectroscopy is a reliable "ruler" for measuring structural changes in proteins. Dispelling the problem of the unknown orientation factor." <i>J Struct Biol</i> <b>115</b> (2): 175-85. |
|        | C15      | ✓ Selvin, P. R. (1995). "Fluorescence resonance energy transfer." <i>Methods Enzymol</i> <b>246</b> : 300-34.  |
|        | C16      | ✓ Zhang, K., D. Baeckstrom, et al. (1994). "A secreted mucin carrying sialyl-Lewis a from colon carcinoma cells binds to E-selectin and inhibits HL-60 cell adhesion." <i>Int J Cancer</i> <b>59</b> (6): 823-9.   |
|        | C17      | ✓ Capo, C., Z. Mishal, et al. (1983). "Dimethylsulphoxide induction of the murine macrophage-like line P388D1: change of phagocytic ability and cell surface properties." <i>J Cell Sci</i> <b>64</b> : 281-93.  |
|        | C18      | ✓ Davidson-Moncada, J. K., G. Lopez-Lluch, et al. (2002). "Involvement of protein kinase D in Fc gamma-receptor activation of the NADPH oxidase in neutrophils." <i>Biochem J</i> <b>363</b> (Pt 1): 95-103.   |
|        | C19      | ✓ Kimura, S., M. Numaguchi, et al. (2000). "High galactosylation of oligosaccharides in umbilical cord blood IgG, and its relationship to placental function." <i>Clin Chim Acta</i> <b>299</b> (1-2): 169-77.   |
|        | C20      | ✓ Marshall, L. R., F. E. Brogden, et al. (1994). "Antenatal platelet antibody testing by flow cytometry--results of a pilot study." <i>Transfusion</i> <b>34</b> (11): 961-5.  |
|        | C21      | ✓ Friedman, M. G. (1981). "A population screening test for antibody to measles virus." <i>Isr J Med Sci</i> <b>17</b> (11): 1045-50.   |
|        | C22      | ✓ Zhang, J. H., T. D. Chung, et al. (1999). "A Simple Statistical Parameter for Use in Evaluation and Validation of High Throughput Screening Assays." <i>J Biomol Screen</i> <b>4</b> (2): 67-73.   |
|        | C23      | ✓ Kricka, L. J. (1992). <i>Nonisotopic DNA Probe Techniques</i> . San Diego: Academic Press, Inc.  |
|        | C24      | ✓ <i>Decision on Appeal: Hearing Before the Board of Patent Appeals and Interferences, United States Patent and Trademark Office, Appeal No. 95-4481, Application 07/911,667.</i>  |

EXAMINER:

DATE:

\*Examiner: Initial if considered, whether or not in conformance with MPEP 60; draw line through cite if not in conformance and not considered. Send copy.